

Implementing the new nitrous oxide regulations

Understanding the new rules

The NSW Government has introduced new regulations to reduce the harms associated with the misuse of nitrous oxide. These rules are designed to restrict inappropriate access while allowing legitimate sales for food, medical, and industrial purposes. As a retailer, you are responsible for complying with these new requirements.

Key rules for retailers

- **Visibility Restrictions:** Nitrous oxide products or packaging must not be displayed in public view.
- **Age Restrictions:** Nitrous oxide cannot be sold to individuals under 18 years old. ID must be checked if there is any doubt.
- **Purchase Limits:**
 - The maximum amount that can be sold to an individual in one transaction is **250g**.
 - Individual cylinders larger than **10g** are prohibited from sale.
- **Time Restrictions:** Sales are not allowed between **10 pm** and **5 am**.
- **Delivery Restrictions:** Same-day delivery of nitrous oxide is **prohibited**.
- **Recordkeeping:** Retailers must keep accurate records of wholesale sales and sales made to businesses in the food and beverage industry.
- **Exemptions:** Wholesale suppliers and licensed food businesses can still purchase larger amounts, but they must provide proper documentation.
- Failure to comply with these regulations may result in penalties of up to **20 penalty** units.

Customer responses – handling questions and concerns

Here are some common customer concerns and suggested responses:

Customer says or does	Retailer says or does
You can't refuse to sell to me. That's discrimination!	We're sorry but we have the right not to sell this product.
Why can't I buy more than 250g?	The NSW Government has introduced a purchase limit to prevent misuse. If you need more for a business or food service, you may qualify for an exemption — just let us know and provide the necessary documents.

Customer says or does	Retailer says or does
I've bought larger cylinders before. Why can't I get them now?	The new law restricts the sale of nitrous oxide in cylinders larger than 10g. This helps reduce the risk of misuse
I need this tonight! Why can't you sell after 10 PM?	The regulations prohibit sales between 10 PM and 5 AM. These hours have been identified as high-risk times for misuse.
Can I get it delivered today?	Same-day delivery of nitrous oxide is no longer allowed under the new rules. If you place an order today, it will be delivered on the next available business day.
This is ridiculous! Other stores don't have these rules.	These are state-wide regulations, and all retailers must follow them. Our goal is to comply with the law while ensuring responsible sales.

Additional strategies for managing customers who may be misusing Nitrous Oxide

Stay calm and professional

Avoid engaging in arguments with customers. Instead, politely but firmly reinforce store policy. In most cases, this approach will be respected, and the customer will leave without further issue.

Use collective language

Rather than saying "I can't sell you this," say "We are unable to sell this product." This reinforces that the policy is a broader company or government decision, reducing the likelihood of personal confrontation.

Take threats seriously

If a customer becomes aggressive or there is a risk of violence, prioritise safety. In such situations, it may be best to avoid direct refusal and instead alert a manager or, if necessary, contact the police.

Prioritise safety

If a customer appears intoxicated or behaving erratically, exercise caution. The well-being of both staff and other customers should always come first.

For further information on nitrous oxide misuse and harm reduction, visit the [YourRoom website](https://www.health.nsw.gov.au/nitrous).

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